

Message Text

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ORIGIN STR-08

INFO OCT-01 EUR-25 IO-14 ISO-00 EB-11 SS-20 AGR-20 CEA-02

CIAE-00 COME-00 DODE-00 FRB-02 H-03 INR-10 INT-08

L-03 LAB-06 NSAE-00 NSC-07 PA-04 RSC-01 AID-20

CIEP-02 TAR-02 TRSE-00 USIA-15 PRS-01 SP-03 FEA-02

OMB-01 SWF-02 AF-10 ARA-16 EA-11 NEA-10 OIC-04 INRE-00

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DRAFTED BY STR/AWWOLFF:SP

APPROVED BY STR/AWWOLFF

EB/ITP:MGLITMAN (SUBSTANCE)

S/S-O: W. NEWLIN

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO USMISSION EC BRUSSELS PRIORITY

USMISSION OECD PARIS

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E.O. 11652: N/A

TAGS:ETRD, GATT, EC, US

SUBJECT: XXIV:6 AND GATT COUNCIL

REF: GENEVA 2482, GENEVA 25 14

1. EC STATEMENT GENEVA 2482 PARA 2 IS BASICALLY ACCEPTABLE.
HOWEVER REQUEST FOR GATT COUNCIL DECISION IS JOINT. LAST
SENTENCE STATES EC "ACCEPTS" THAT COUNCIL MAKE DECISION.
SHOULD SUBSTITUTE "PROPOSES" TO BE IN ACCORDANCE WITH OUR
AGREEMENT SOAMES. IN ADDITION FIRST SENTENCE OF EC TEXT
STATES THAT 6 MONTH PERIOD REFERRED TO IN ARTICLE XXVIII:3
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"IS YET TO BEGIN". THIS IS NOT ESSENTIAL TO EC STATEMENT

AND WE WOULD PREFER DELETION OF THAT CLAUSE SO THAT FIRST SENTENCE WOULD END WITH "UNDER WAY". MISSION SHOULD AVOID EC STATEMENTS WHICH SUGGEST THAT THIRD PARTIES HAVE NO PRESENTLY EXERCISABLE WITHDRAWAL RIGHTS UNDER ARTICLE XXVIII.

2. REF GENEVA 2514, PARA 2, REGARDING U.S. STATEMENT:

(A) CAN ACCEPT DELETION FOURTH SENTENCE;

(B) CAN ACCEPT SUGGESTED ADDITION WITHOUT WORDS "WE BELIEVE".

3. REF GENEVA 2482, PARA 5, REGARDING U.S. STATEMENT:

(A) EC CHANGE OVERTAKEN BY GENEVA 2514;

(B) PHRASE "IS VALID FOR ALL CP'S" IS LIKELY TO CAUSE PROBLEMS WITH THIRD COUNTRIES. PREFER "WILL NOT ADVERSELY AFFECT ANY CP'S";

(C) EC SUGGESTION TO SEVENTH SENTENCE ACCEPTABLE.

4. PLEASE REPORT FINAL TEXT TO WASHINGTON BY PHONE PRIOR TO COUNCIL MEETING.

5. HAVE BEEN INFORMED THAT AUSTRALIA WILL SUPPORT COUNCIL DECISION. HOWEVER INSTRUCTION TO AUSTRALIAN REP WILL CONTAIN CONFUSING RESERVATION THAT EC NEED NOT NOTIFY NEW SCHEDULE UNTIL DECEMBER 31, 1975. CANBERRA IS APPARENTLY READING THREE YEAR PERIOD OF ARTICLE XXVIII, PARA 1, INTO EC ENLARGEMENT EXERCISE AND THIS COUNCIL ACTION. SUGGEST MISSION CONTACT AUSTRALIAN REP TO POINT OUT INAPPLICABILITY OF THREE YEAR PERIOD CITED IN ARTICLE XXVIII, PARA 1, AND URGE HIM NOT TO MUDDY WATERS AT COUNCIL MEETING WITH THIS RESERVATION. KISSINGER

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